

1 D. PETER HARVEY (SBN 55712)
pharvey@harveysiskind.com
2 RAFFI V. ZEROUNIAN (SBN 236388)
rzerounian@harveysiskind.com
3 HARVEY SISKIND LLP
4 Four Embarcadero Center, 39th Floor
San Francisco, CA 94111
5 Telephone: (415) 354-0100
Facsimile: (415) 391-7124

7 Attorneys for Plaintiff
8 INTEL CORPORATION

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

INTEL CORPORATION, a Delaware corporation,

Case No. C 09-02294 JF

**STIPULATED PERMANENT INJUNCTION;
[PROPOSED] ORDER**

Plaintiff

VS

LAND FEASIBILITY, LLC, a Delaware limited liability company.

Defendant

The Parties hereto have reached a negotiated settlement of all claims which includes the entry of the following injunction against Defendant Land Feasibility, LLC (“Land Feasibility”):

WHEREAS, Plaintiff Intel Corporation (“Intel”) filed this action against Land Feasibility on May 22, 2009, asserting claims of Federal Trademark Infringement, Federal Trademark Dilution, Federal False Designation of Origin, California Trademark Infringement, California Trademark Dilution, California Statutory Unfair Competition, and California Common Law Passing Off and Unfair Competition; and

WHEREAS, the Parties have settled their dispute and respectfully ask that the Court enter this injunction.

1 Accordingly, IT IS ORDERED, ADJUDGED, and DECREED as follows:

- 2 1. As of December 31, 2009, Land Feasibility and its officers, agents, servants, employees,
3 owners and representatives, and all other persons, firms or corporations in active concert or
4 participation with it, are permanently enjoined and restrained from using in any manner the
5 INTEL mark, or any name, mark or domain name that wholly incorporates the INTEL mark
6 or is confusingly similar to or a colorable imitation of this mark, including, without
7 limitation, any trade name or trademark incorporating the term "LANDINTEL."
- 8 2. As of December 31, 2009, Land Feasibility and its officers, agents, servants, employees,
9 owners and representatives, and all other persons, firms or corporations in active concert or
10 participation with it, are permanently enjoined and restrained from doing any act or thing
11 calculated or likely to cause confusion or mistake in the minds of members of the public, or
12 prospective customers of Intel's products or services, as to the source of the products or
13 services offered for sale, distributed, or sold, or likely to deceive members of the public, or
14 prospective customers, into believing that there is some connection between Land
15 Feasibility and Intel.
- 16 3. As of December 31, 2009, Land Feasibility and its officers, agents, servants, employees,
17 owners and representatives, and all other persons, firms or corporations in active concert or
18 participation with it, are permanently enjoined and restrained from committing any acts
19 which will tarnish, blur, or dilute, or are likely to tarnish, blur, or dilute, the distinctive
20 quality of the famous INTEL mark.
- 21 4. No later than December 31, 2009, Land Feasibility shall take all steps necessary to remove
22 the name "LANDINTEL" from its articles of incorporation and/or articles of organization
23 with any governmental entity to effect its corporate name change, and will cancel any
24 fictitious business name registrations.
- 25 5. No later than October 9, 2009, Land Feasibility shall formally cancel its Registration No.
26 3,532,163 for the mark LANDINTEL in the United States Patent and Trademark Office.
- 27 6. No later than December 31, 2009, Land Feasibility shall remove all content from the
28 website www.landintel.com. From January 1, 2010 through March 30, 2010, Land

1 Feasibility may only use the www.landintel.com domain to forward visitors to its new
2 website. After March 30, 2010, Land Feasibility shall make no use whatsoever of the
3 www.landintel.com website and domain, and shall let the domain registration lapse when it
4 is set to expire on October 12, 2010.

5 7. Notwithstanding the foregoing, Land Feasibility may use the LANDINTELLIGENCE
6 trademark, so long as the mark does not emphasize, highlight, set apart, or distinguish in
7 any way the letters INTEL or INTELL from the remainder of the mark, or use an “e”
8 subscripted in relation to the other letters.

9 Dated: October 2, 2009

HARVEY SISKIND LLP
D. PETER HARVEY
RAFFI V. ZEROUNIAN

11
12 By: /s/
13 Raffi V. Zerounian

14 Attorneys for Plaintiff
15 INTEL CORPORATION

16 Date: October 2, 2009

JENNIFER MARONE PETERSON

17 By: /s/
18 Jennifer Marone Peterson

19 Attorney for Defendant
20 LAND FEASIBILITY, LLC

21 I, Raffi V. Zerounian, am the ECF User whose identification and password are being used to
22 file this document. Pursuant to General Order 45.X.B, I hereby attest that counsel for Defendant has
concurred in this filing.

23 **IT IS SO ORDERED this 6th day of October, 2009.**

24
25 
26 The Honorable Jeremy Fogel
27 United States District Judge
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